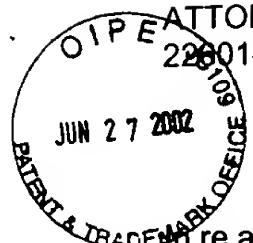


36X3

PATENT
U.S. Ser. No. 09/660,257

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Smith, et al.

Serial No.: 09/660,257

Filing Date: Sept. 12, 2000

Art Unit: 3643

Examiner: Gellner, Jeffrey L.

Title: METHOD AND MIXTURES FOR TREATING DISTRESSED TREES

IDS # 6
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I hereby state that on reasonable information and belief I expect that this document will be deposited with the U.S. Postal Service as U.S. First Class Mail with sufficient postage, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231, on the date indicated below.

J. Gellner
Signature*Stayer Lmz*
Printed Name*June 21, 2002*
Date

Assistant Commissioner for Patents
Box Amendment
Washington, D.C. 20231

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Sir:

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)**

Pursuant to the provisions of 37 CFR §§ 1.56, 1.97 and 1.98, and MPEP 609, Applicant submits herewith copies of the patents and other documents listed below and on the attached Form PTO-SB/08 "Information Disclosure Citation."

This Information Disclosure Statement is being filed within three (3) months of these references being cited in a communication from a foreign patent office in a corresponding foreign application. 37 C.F.R. 1.97(c); MPEP §609(c) and MPEP §601(e)(1).

FOREIGN PATENTS

Foreign Patent Document No.	Inventor	Publication Date
EP O 107 450 A	Unilever PCL	2 May 1984

COPY OF PAPERS
ORIGINALLY FILEDATTORNEY DOCKET NO.
22601-P002USPATENT
U.S. Ser. No. 09/660,257

Foreign Patent Document No.	Inventor	Publication Date
WO 99 07654	Markus, Wiseman, and Wolf	18 February 1999
DE 2312051	Schafer	12-09-1974
DE 3600340	Diehl	09-07-1987
GB 2 152 492 A	Csany, et al.	07-08-1985

OTHER DOCUMENTS

Applicant	Title	Publication Date	Pages
x	<u>Journal of Horticultural Science and Biotechnology</u> , May 1998 Vol. 73, No. 3, pg. 353-359 by Percival G and Gerritsen J. entitled <i>The Influence of Plant Growth Regulators on Root and Shoot Growth of Containerized Trees Following Root Removal</i> publ. by Dep.Hortic. Univ. Stathclyde UK	May, 1998	pg. 353-359x

REMARKS

Consideration by the Examiner of each of the documents listed herein and on Form PTO-SB/08 is respectfully requested. Applicant respectfully requests that a copy of PTO-SB/08, as considered and initialed by the Examiner, be returned to the undersigned with the next Official Communication.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made. 37 CFR §1.97(g). Furthermore, the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in this Statement is, or is considered to be, prior art, analogous art, or material to patentability of this application, but the information has been cited to make it clear beyond all doubt that Applicant's duty of disclosure has been complied with. 37 CFR §1.97(h).

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22601-P002US

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PATENT
U.S. Ser. No. 09/660,257

Applicant hereby submits that the claims of Applicant's above-referenced patent application are patentably distinguishable from these references.

The attached form, PTO SB/08, provides a listing of patents, publications, or other information as required by 37 C.F.R. § 1.98(a)(1).

A copy of each of the items identified on the attached Form PTO-SB/08 is supplied herewith.

It is believed that no fee is due; however, the Commissioner is hereby authorized to charge any fees which may be required by this paper, to Winstead Sechrest & Minick P.C. Deposit Account No. 23-2426.

Respectfully submitted,
ATTORNEYS FOR APPLICANT


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